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P.Z.

**PIONEER HI-BRED INTERNATIONAL, INC.  
CORPORATE INTELLECTUAL PROPERTY DEPARTMENT**

**FAX TRANSMISSION**

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**FAX RECEIVED**

AUG 13 2002

GROUP 1600

TO: Assistant Commissioner for Patents

FROM: Steve Callistein

RE: Our Case No. 1634  
Application No.: 09/758,790

DATE: 8/12/02

FAX NUMBER: (703) 872-9306

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 15

**COMMENTS:**

Please find attached the following documents:

Transmittal Letter ( 2 pages)

Amendment and Request for Reconsideration . . . (12 pages)

ATTC letter (1page)

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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached was transmitted via facsimile transmission to TC1600, via facsimile number (703) 872-9306, on this 12<sup>th</sup> day of August, 2002.

Steve Callistein  
Steve Callistein  
8/12/02  
Date

Case No. 1364

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mark David Hoffbeck	Art Unit:	1638
Serial No.:	09/758,790	Examiner:	David T. Fox
Filed:	January 11, 2001	For:	INBRED MAIZE LINE PH5WB

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER  
37 CFR § 1.111 TO OFFICE ACTION MAILED MARCH 12, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the office action mailed March 12, 2002, Applicant respectfully requests that the following amendments and remarks be considered and made of record.

It is submitted that the amendments to the claims place them in condition for allowance or in better form for appeal and present no new matter.

## IN THE SPECIFICATION

At page 52 of the original application, lines 2 – 21, following "Deposits", please delete the entire paragraph and insert the following:

q1  
Applicant has made a deposit of at least 2500 seeds of Inbred Maize Line PH5WB with the American Type Culture Collection (ATCC), Manassas, VA 20110 USA, ATCC Deposit No. PTA-4435. The seeds deposited with the ATCC on June 4, 2002 were taken from the deposit maintained by Pioneer Hi-Bred International, Inc., 800